

MEMO ENDORSED

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October 2, 2023

VIA ECF

Honorable Andrew L. Carter, Jr.
United States District Judge
Southern District of New York
Thurgood Marshall United States Courthouse
40 Foley Square
New York, NY 10007

USDC SDNY
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DATE FILED: 10-3-23

Re: United States v. Dagar, et al., No. 23-cr-319

Dear Judge Carter:

We represent Defendant Amit Dagar in the above-referenced matter. We write concerning Mr. Dagar and Mr. Bhiwapurkar's Motion for Suppression of Evidence and for a *Franks* hearing (the "Motion") filed on September 28, 2023 (ECF Nos. 25-29).

On September 28, we filed the Motion with a supporting declaration (ECF No. 27) attaching exhibits A through E (ECF Nos. 27-1-27-5, the "Exhibits") which contain unredacted personal identifying information pursuant to Federal Rule of Criminal Procedure 49.1(a). Upon recognizing that we had made an oversight in not redacting the personal identifying information, on September 29, 2023 we contacted the ECF Help Desk for the Southern District of New York to have the Exhibits placed under temporary seal in accordance with Rule 21.8(a) of the Electronic Case Filing Rules & Instructions of the Southern District of New York (the "S.D.N.Y. ECF Rules"). On the same day, consistent with S.D.N.Y. ECF Rule 21.8(c), we filed redacted versions of the Exhibits with the accompanying declaration as ECF No. 30 through ECF No. 30-5.

Accordingly, we respectfully request that the Court seal the Exhibits to the declaration in support of the Motion, ECF No. 27-1 through ECF No. 27-5, pursuant to S.D.N.Y. ECF Rule 21.8(b).

The government does not object to this application.

Respectfully submitted,

/s/ Patrick J. Smith

Patrick J. Smith

cc: AUSA Alexander Rossmiller

The application is ☒ granted.
☐ denied.

Andrew L. Carter Jr, U.S.D.J.

Dated: October 3, 2023
NY, New York